

FRIEDMAN KAPLAN SEILER & ADELMAN LLP

BRUCE S. KAPLAN
EDWARD A. FRIEDMAN
GARY D. FRIEDMAN
BARRY A. ADELMAN
ERIC SEILER
ROBERT D. KAPLAN
ANDREW W. GOLDWATER
ROBERT J. LACK
GREGG S. LERNER
PAUL J. FISHMAN
WILLIAM P. WEINTRAUB
RICHARD M. HOFFMAN
SCOTT M. BERMAN
GERALD ADLER
HAL NEIER
PHILIPPE ADLER
LANCE J. GOTKO
KATHELINE L. PRINGLE
MYRL S. ROSENBLATT
DANIEL B. RAPPORT
DAVID J. TANENBAUM
HALLIE B. LEVIN
ANNE E. BEAUMONT
MARY E. MULLIGAN
ANDREW W. SCHILLING
EMILY A. STUBBS
KENT K. ANKER
AMY C. BROWN
MALA AHUJA HARKER

1633 BROADWAY
NEW YORK, NY 10019 6708
TELEPHONE (212) 833-1100
FACSIMILE (212) 833-1250
WWW.FKLAW.COM

WRITER'S DIRECT DIAL
(212) 833-1115

WRITER'S DIRECT FAX
(212) 373-7915

E-MAIL
LGOTKO@FKLAW.COM

HARVEY WEISSBARD
NORMAN ALPERT
ANDREW A. QUARTNER
COUNSEL

LISA S. GETSON
ASAF REINDEL
JOHN N. ORSINI
JEFFREY R. WANG
MYRIAM FORD
SHIRA D. WEINER
CHAD M. LEIGHT
JASON C. RUBINSTEIN
MICHAEL A. GORDON
DANYA SHOCHIR REDA
ROBERT S. LANDY
RICKIE M. SONPAL
STEVEN E. FRANKEL
NIKETH VELAMMOOR
LILI ZANDPOUR
L. REID SKIBELL
DANIEL R. GREENBERG
KEVIN S. HAEBERLE
SHEELA V. PAI
AMY LURIA
DANIEL IAN MEE
CHRISTOPHER WIMMER
JENNIFER P. KRAKOWSKY
NETANEL PINHASOV
JORDAN I. BRACKETT

September 4, 2008

BY FACSIMILE

Honorable Victor Marrero
United States District Judge
United State District Court for the Southern District of New York
500 Pearl Street, Suite 660
New York NY 10007-1312

**Re: Nelson Gonzalez v. The Ulanov Partnership, Inc., et al.,
08 Civ. 4467 (VM)**

Dear Judge Marrero:

We represent defendants in this action. In accordance with our conference with the Court on Friday, this will confirm that defendants are withdrawing their motion to dismiss pursuant to Rules 12(b)(6) and 56 without prejudice.

Respectfully submitted,

Lance J. Gotko (42)

Lance J. Gotko

cc: Lee F. Bantle, Esq.

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 642848.1 9.4.08

Request GRANTED. The Clerk of Court is directed to withdraw without prejudice defendants' motion to dismiss and for summary judgment (Docket No. 10)	
SO ORDERED:	
9-4-08	<i>[Signature]</i>
DATE	VICTOR MARRERO, U.S.D.J.